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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,540	03/18/2004	Ihor Lys	C1104.70117US00	5652

23628 7590 07/26/2006

WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2206

EXAMINER
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LE, TUNG X

ART UNIT	PAPER NUMBER
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2821

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/803,540

Applicant(s)

LYS ET AL.

Examiner

Tung X. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-74 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 06/12/2006, 01/03/06, 12/01/05, 08/29/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This is a response to the applicant's filing on March 18, 2006. In virtue of this filing, claims 1-74 are currently presented in the instant application.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Hochstein (U.S. 5,633,629).

With respect to claim 1, Hochstein discloses in figures 1 and 3-7 a color changing panel light comprising a group of LEDs (46) for providing mixed light output controlled by at least one controller (30, 60, 72, 74, 76, 78, 80, 82); and a diffusing panel (18) that is illuminated by the mixed light output, wherein the at least one controller controls the group LEDs to cause the diffusing panel to display sequential washes of different colors (see column 2, lines 43-52 which includes the colors of red, yellow, and green).

With respect to claim 2, Hochstein discloses that the group of LEDs is arranged in a plurality of modules (figure 4), each module including at least one LED (46) adapted to output at least first radiation having a first spectrum (with a first frequency of 50 KHz and see column 5, lines 46-63) and second radiation having a second spectrum

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different than the first spectrum (with a second frequency of 65 KHz and see column 5, lines 46-63).

With respect to claim 3, Hochstein discloses that the at least one LED includes at least one first LED adapted to output the first radiation and at least one second LED adapted to output the second radiation (see figure 4).

***Allowable Subject Matter***

4. Claims 13-74 are allowed.
5. Claims 4-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is a statement of reasons for the indication of allowable subject matter:

Prior art of record fails to disclose or suggest the following limitations:

- A color changing panel light comprising each module of the plurality of modules includes at least one processor of the plurality of processors, the at least one processor configured to independently control at least a first intensity of the first radiation and a second intensity of second radiation generated by the one module with which the at least one processor is associated, in combination with the remaining claimed limitations as claimed in dependent claim 4 (claims 5-12 are objected for depending on claim 4).
- A geometric panel apparatus comprising at least one geometric panel disposed with respect to the plurality of LEDs so as to at least partially diffuse the first

radiation and the second radiation to provide a mixed spectrum when both the first radiation and the second radiation are generated; and at least one controller coupled to the plurality of LEDs and configured to independently control at least a first intensity of the first radiation and a second intensity of the second radiation at a plurality of graduated intensities from a minimum intensity to a maximum intensity, in combination with the remaining claimed limitations as claimed in claim 13 (claims 14-60 are allowed for depending on claim 13).

- A method of generating at least one variable color visible effect over at least a two dimensional observation area comprising acts of at least partially diffusing the first radiation and the second radiation to provide a mixed spectrum, when both the first radiation and the second radiation are generated, via at least one geometric panel disposed with respect to the plurality of LEDs so as to receive the first radiation and the second radiation; and independently controlling at least a first intensity of the first radiation and a second intensity of the second radiation at a plurality of graduated intensities from a minimum intensity to a maximum intensity, in combination with the remaining claimed limitations as claimed in claim 61 (claims 62-74 are allowed for depending on claim 61).

***Citation of Relevant Prior Art***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nagasaki et al. (U.S. 5,896,403) discloses a dot code and information recording system for recording the same.

Hunt et al. (U.S. 5,414,328) discloses a stage lighting control console including assignable macro functions.

Taylor et al. (U.S. 5209560) discloses a computer controlled lighting system with intelligent data distribution network.

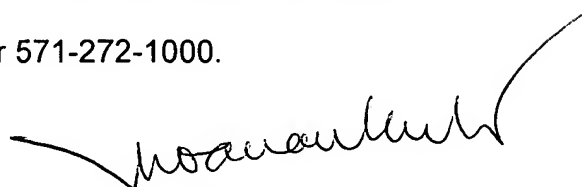
***Inquiry***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung X. Le whose telephone number is 571-272-6010. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner  
Tung Le  
AU 2821



Hoanganh Le  
Primary Examiner